

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

TREVOR BROWN, also known as Dalton
Brown,

Plaintiff,

v.

No. 05-CV-82
(FJS/DRH)

DR. LESTER WRIGHT; DR. FREDERICK
GRABO; and JOAN ROSADO, Deputy
Superintendent of Health Care at
Mohawk Correctional Facility,

Defendants.

APPEARANCES:

OF COUNSEL

TREVOR BROWN
Plaintiff Pro Se
3 Beaconfield Avenue
Patrick Garden, Kingston 20
Jamaica, West Indies

HON. ELIOT SPITZER
New York State Attorney General
Attorney for Defendant
The Capitol
Albany, New York 12224

ROGER W. KINSEY, ESQ.
Assistant Attorney General

FREDERICK J. SCULLIN, JR., S.J.:

DECISION AND ORDER

Currently before the Court is Magistrate Judge David R. Homer's January 9, 2008 Report-Recommendation and Order to which no objections have been filed. Having reviewed the Report-Recommendation and the entire file in this matter, the Court hereby

ORDERS, that the Report-Recommendation and Order of Magistrate Judge David R. Homer filed January 9, 2008 is **ACCEPTED** in its entirety, for the reasons stated therein, and the Court further

ORDERS, that defendants' motion to dismiss (Docket No. 31) is **DENIED** without prejudice, and the Court further

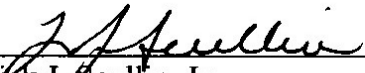
ORDERS, that on or before July 1, 2008, Brown shall file with the Court a copy of the written consent of the United States Attorney General, or his designee, **GRANTING** Brown permission to reapply for admission to the United States; and the Court further

ORDERS, that defendants are granted leave to submit a letter requesting dismissal of this action after July 1, 2008, if Brown fails to file a copy of the written consent of the United States Attorney General, or his designee, granting Brown permission to reapply for admission to the United States; and the Court further

ORDERS, that upon the filing of the district court's order on this report-recommendation, all further proceedings in this case are **STAYED** until July 1, 2008 or until further order of the Court.

IT IS SO ORDERED.

DATED: February 6, 2008
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Court Judge